

**REMARKS**

Claims 2, 3, 6, 9 and 11 are pending in the present application. By this Amendment, claim 2 is amended into independent form, claim 6 is amended to correct a typographical error, and claims 9 and 11 are amended to revise their dependency. Claims 1, 7, 8, 10 and 12-22 are canceled without prejudice to or disclaimer of the subject matter contained therein.

Applicant acknowledges the indication on page 5 of the Office Action that claim 2 is allowable as reciting allowable subject matter.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments correct typographical errors, amend informalities, revise dependencies and/or amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal (if necessary). Entry is thus requested.

For the following reasons, the application is in condition for allowance.  
Reconsideration is respectfully requested.

**I. CONSIDERATION OF THE INFORMATION DISCLOSURE STATEMENT**

On page 2 of the Office Action, it is stated that EP 418902 has not been considered as a legible copy of the reference was not provided. It is respectfully submitted that the reference

was submitted as evidenced by the attached PTO stamped receipt dated May 6, 2005. However, for the benefit of the Examiner, another copy of the reference is attached hereto. Consideration of the reference is respectfully requested.

## II. RESTRICTION/ELECTION

On page 2 of the Office Action, it is indicated that newly submitted claims 14-22 are directed to an invention that is independently or distinct from the invention originally claimed. Although Applicant traverses the requirement, to expedite prosecution, claims 14-22 are canceled.

## III. OBJECTION

On page 3 of the Office Action, claim 7 is objected to. Claim 7 is canceled. Withdrawal of the objection is respectfully requested.

## IV. REPLY TO REJECTIONS

### A. 35 U.S.C. § 112, Second Paragraph

On page 3 of the Office Action, claims 1 and 6 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite. The rejection of canceled claim 1 is moot. Claim 2, which has been amended into independent form, recites that a sum of X and Y is in the range from more than 0 to 0.9999. Consequently, it is definite.

As to claim 6, the second occurrence of Ca is a typographical error of Cu (copper), as evidenced from a previous version of claim 3. Consequently, amended claim 6 is now definite and the withdrawal of the rejection is respectfully requested.

**B. 35 U.S.C. § 112, First Paragraph**

On page 3 of the Office Action, claims 8, 10, 12 and 13 are rejected under 35 U.S.C. § 112, first paragraph. The rejection of canceled claims 8, 10, 12 and 13 is moot. Withdrawal of the rejection is respectfully requested.

**C. 35 U.S.C. § 103(a)**

On page 4 of the Office Action, claims 1, 3 and 6-13 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,424,006 to Murayama et al. (hereinafter "Murayama"). The rejection of canceled claims 1, 7, 8, 10, 12 and 13 is moot. Claims 3, 6, 9 and 11 depend from allowable claim 2, which is amended into independent form. Consequently claims 3, 6, 9, and 11 are allowable over the applied reference for at least their dependence from allowed independent claim 2, and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

**IV. CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are

Serial No. 10/774,500  
Reply to Office Action of August 10, 2005

Docket No. HI-0187

earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Seth S. Kim, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP



Daniel Y.J. Kim  
Registration No. 36,186  
Seth S. Kim  
Registration No. 54,577

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 766-3701 DYK/SSK:knv  
Date: NOVEMBER 10, 2005

Please direct all correspondence to Customer Number 34610